

REMARKS

The last Office Action has been carefully considered.

Claims 1-4, 6-8, and 11-21 are rejected under 35 U.S.C. § 102(b) as being anticipated by Neff et al. (U.S. Pat. App. Pub. No. 2004/0233054).

Claim 5 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Neff et al.

Claim 9 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Neff et al. in view of Stieff et al. (U.S. Pat. No. 4,262,284).

Claims 1-9 and 11-23 are pending in the application, with claims 1 and 16 being independent claims, claim 10 being canceled, and claims 22-23 being new. Claims 1 and 16-21 are amended. No new subject matter is presented.

Regarding the rejection of claim 1 under 35 U.S.C. § 102(b), the Examiner states that Neff et al. anticipate each and every limitation of the claim. Neff et al. disclose a device 20 for registering an opening of a closure, comprising a sealing module 21 having a sensor 22, a first microprocessor 24, a first memory 24, and a first wireless communication device 25 (Fig. 1), the sealing module attachable to the closure in such a way that the sensor 22 detects a movement of the closure and outputs movement data of the movement (paragraph [0020]), the movement data being written into the first memory 24 ([0020]); a detection unit 30 having at least one second wireless communication device for communication with the sealing module 21 ([0016]), a second microprocessor, and a second memory, the second microprocessor reading out at least the movement data from the first memory and writing the movement data into the second memory ([0016]).

Although Neff et al. are silent about a database to store the movement data, a person having ordinary skill in the art may reasonably interpret such database possibly being available within the detection unit, i.e. within the Reader 30 (Fig. 1; [0016] and [0030]) that includes a “computer at user end” (Office Action, third paragraph from top of page 4). Thus, the Reader in Neff et al. performs no activities of sending and receiving data wirelessly to and from a database. Indeed, Neff et al. disclose nowhere the Feeder 30 having a WLAN interface for sending and receiving the movement data via WLAN technology to and from at least one of a database and a central computer. By contrast, the detection unit 11 of the present application has such WLAN interface 18 (Fig. 1; specification page 6 lines 23-25). Neff et al. fails to disclose at least the limitation of a *WLAN interface (18) disposed in the detection unit, the WLAN (wireless local area network) interface sending and receiving data including the movement data to and from at least one of a database and a central computer by WLAN technology* taught by amended claim 1.

Clearly, amended claim 1 structurally differs from Neff et al.

Regarding the rejection of claim 9 under 35 U.S.C. § 103(a) as being unpatentable over Neff et al. in view of Stieff et al., dependent claim 9 cites an optical display unit of a sealing module, and the sealing module includes a wireless communication device and a sensor as taught by independent claim 1, which is the base claim of dependent claim 9. Neff et al. also teaches a sealing module 21 that includes a wireless communication device 25 and a sensor 22 (Figures 1-2). Stieff et al., however, disclose a sealing module 20 that has no wireless communication device (FIGs. 2 and 5-6). Further, the sealing module 20 of Stieff et al. has only a sensor 2 (FIG. 2) that is strictly a fiber optic loop (FIG. 2). In Stieff et al., the sealing module 20 “is the size of a padlock and opens and closes like a padlock” and the fiber optic loop is equivalent to the shackle of the padlock (col. 1 lines 9-15). Thus, the sealing module 20 of Stieff

et al. has a structure far different from one of the sealing module 21 of Neff et al. Therefore, incorporation of the optical display unit of Stieff et al. into the sealing module of Neff et al. requires substantial reconstruction or redesign of the sealing module of Neff et al., and such reconstruction or redesign would not be obvious to a person having ordinary skills in the art (*In re Ratti*, 270 F.2d 810, 123 USPQ 349 (C.C.P.A. 1959)).

Regarding the rejection of claim 14 under 35 U.S.C. § 102(b) as being anticipated by Neff et al., the Examiner in the rejection relies solely on paragraph [0030] of Neff et al., which teaches a Unit 21 (Office Action, page 4, second paragraph). It is stipulated that the Unit 21 of Neff et al. has no display unit for indicating the current status (Office Action, page 6, item 5., second paragraph). Thus, Neff et al. fail to disclose at least the limitation of *displays the stored data regarding a secured object on a screen* cited in claim 14.

Regarding the rejection of claim 16 under 35 U.S.C. § 102(b), the above rationale for amended claim 1 also similarly applies to amended claim 16 with respect to Neff et al.

Regarding new claims 22 and 23, support for the new claims includes the specification at page 2 lines 20-26, page 7 lines 13-17, and page 8 lines 6-9.

In view of the preceding amendments and remarks, it is respectfully submitted that all of the pending claims, namely, Claims 1-9 and 11-23, are in condition for allowance.

Should the Examiner require or consider it advisable that the specification, claims and/or drawings be further amended or corrected in formal respects in order to place this case in condition for final allowance, then it is respectfully requested that such amendments or corrections be carried out by Examiner's Amendment, and the case be passed to issue. Alternatively, should the Examiner feel that a personal discussion might be helpful in advancing this case to allowance; he is invited to telephone the undersigned (at 631-549-4700).

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'M. Striker', with a long horizontal flourish extending to the right.

Michael J. Striker
Attorney for Applicant
Reg. No. 27233